

**U.S. District Court  
Northern District of Texas (Dallas)  
CIVIL DOCKET FOR CASE #: 3:03-cv-00501**

In re Hotels.com Derivative Litigation  
Assigned to: Ed Kinkeade  
Demand: \$100000  
Case in other court: 191st Judicial District, 03-00349  
Cause: 28:1331 Fed. Question: Railway Labor Act

Date Filed: 03/10/2003  
Jury Demand: Plaintiff  
Nature of Suit: 850  
Securities/Commodities  
Jurisdiction: Federal Question

**Plaintiff**  
-----

**Anita Pomilo-Wilson, *Derivately  
on Behalf of a Nominal Defendant  
Hotels.com***

represented by **Leonard A Epstein**  
Newman Davenport & Epstein  
Plaza of the Americas  
700 N Pearl St  
Suite 1650 LB 314  
Dallas, TX 75201  
214/754-0025  
Fax: 214/754-0936 FAX  
Email: leonep@flash.net  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**William B Federman**  
Federman & Sherwood  
120 N Robinson  
Suite 2720  
Oklahoma City, OK 73102  
405/235-1560  
Fax: 405/239-2112 FAX  
Email: wfederman@aol.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Robert B Weiser**  
Schiffrin & Barroway  
Suite 400  
Bala Cynwyd, PA 19004  
610/667-7706  
**TERMINATED: 04/11/2003**

V.

**Consol Plaintiff**

**Alex Solodovnikov**

represented by **Brian J Robbins**  
Robbins Umeda & Fink  
1010 Second Ave  
Suite 2360  
San Diego, CA 92101  
619/525-3990  
Fax: 619/525-3991 FAX  
Email: robbins@ruflaw.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Balon B Bradley**  
Law Office of Balon B Bradley  
5473 Blair Rd  
Suite 100  
Dallas, TX 75231  
972/991-1582  
Fax: 972/755-0424 FAX  
Email: balonbb@aol.com  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Elan J Blutinger**

represented by **Paul R Bessette**  
Akin Gump Strauss Hauer & Feld -  
Austin  
300 W Sixth St  
Suite 2100  
Austin, TX 78701  
512/499-6204  
Fax: 512/499-6290 FAX  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**  
Vinson & Elkins - Dallas  
3700 Trammell Crow Center  
2001 Ross Ave  
Dallas, TX 75201-2975  
214/220-7700  
Fax: 214/220-7716 FAX  
Email: khirschman@velaw.com

*TERMINATED: 10/28/2003*

**Todd A Murray**

Vinson & Elkins

2001 Ross Ave

Suite 3700

Dallas, TX 75201-2975

214/220-7700

*TERMINATED: 10/28/2003*

**Sandra D'Arcy**

represented by **Patricia J Villareal**

Jones Day - Dallas

PO Box 660623

2727 N Harwood St

Dallas, TX 75266-0623

214/220-3939

Fax: 214/969-5100 FAX

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**

(See above for address)

*TERMINATED: 10/28/2003*

**Lara M Shalov**

Paul Weiss Rifkind Wharton &  
Garrison

1285 Avenue of the Americas

New York, NY 10019-6064

212/373-3000

**Richard A Rosen**

Paul Weiss Rifkind Wharton &  
Garrison

1285 Avenue of the Americas

New York, NY 10019-6064

212/373-3000

**Todd A Murray**

(See above for address)

*TERMINATED: 10/28/2003*

**Robert Diener**

represented by **Patricia J Villareal**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**

(See above for address)  
*TERMINATED: 10/28/2003*

**Lara M Shalov**  
(See above for address)

**Richard A Rosen**  
(See above for address)

**Todd A Murray**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Beverly Harms**

represented by **Paul R Bessette**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Todd A Murray**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Julius Genachowaski**

represented by **Patricia J Villareal**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Lara M Shalov**  
(See above for address)

**Richard A Rosen**  
(See above for address)

**Todd A Murray**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Victor A Kaufman**

represented by **Patricia J Villareal**  
(See above for address)  
*LEAD ATTORNEY*

**ATTORNEY TO BE NOTICED****Karen L Hirschman**

(See above for address)

**TERMINATED: 10/28/2003****Lara M Shalov**

(See above for address)

**Richard A Rosen**

(See above for address)

**Todd A Murray**

(See above for address)

**TERMINATED: 10/28/2003****Dara Khosrowshahi**represented by **Patricia J Villareal**

(See above for address)

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Karen L Hirschman**

(See above for address)

**TERMINATED: 10/28/2003****Lara M Shalov**

(See above for address)

**Richard A Rosen**

(See above for address)

**Todd A Murray**

(See above for address)

**TERMINATED: 10/28/2003****David Litman**represented by **Patricia J Villareal**

(See above for address)

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Karen L Hirschman**

(See above for address)

**TERMINATED: 10/28/2003****Lara M Shalov**

(See above for address)

**Richard A Rosen**

(See above for address)

**Todd A Murray**

(See above for address)

*TERMINATED: 10/28/2003*

**Dan Marriott**

represented by **Patricia J Villareal**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**

(See above for address)

*TERMINATED: 10/28/2003*

**Lara M Shalov**

(See above for address)

**Richard A Rosen**

(See above for address)

**Todd A Murray**

(See above for address)

*TERMINATED: 10/28/2003*

**Jon Miller**

represented by **Patricia J Villareal**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**

(See above for address)

*TERMINATED: 10/28/2003*

**Lara M Shalov**

(See above for address)

**Richard A Rosen**

(See above for address)

**Todd A Murray**

(See above for address)

*TERMINATED: 10/28/2003*

**Gregory Porter**

represented by **Patricia J Villareal**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Lara M Shalov**  
(See above for address)

**Richard A Rosen**  
(See above for address)

**Todd A Murray**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Mel Robinson**

represented by **Patricia J Villareal**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Lara M Shalov**  
(See above for address)

**Richard A Rosen**  
(See above for address)

**Todd A Murray**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Eli Segal**

represented by **Paul R Bessette**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Karen L Hirschman**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Todd A Murray**  
(See above for address)  
*TERMINATED: 10/28/2003*

**Hotels.com**

represented by **Eric Donovan Pearson**

Sayles Lidji & Werbner  
 1201 Elm St  
 Suite 4400  
 Dallas, TX 75270  
 214/939-8700  
 Fax: 214/939-8787 FAX  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Movant**

**Alex Solodovnikov**  
*TERMINATED: 12/12/2003*

represented by **Balon B Bradley**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/10/2003	<u>1</u>	NOTICE OF REMOVAL from 191st Judicial District, case number 03-00349. ( Filing fee \$ 150.00 receipt number 19123.), filed by Elan J Blutinger, Sandra D'Arcy, Robert Diener, Julius Genachowaski, Beverly Harms, Victor A Kaufman, Dara Khosrowshahi, David Litman, Dan Marriott, Jon Miller, Gregory Porter, Mel Robinson, Eli Segal. (attachments not imaged)(lmr, ) (Entered: 03/12/2003)
03/10/2003		DEMAND for Trial by Jury by Anita Pomilo-Wilson.(filed within notice of removal) (lmr, ) (Entered: 03/12/2003)
03/14/2003	<u>2</u>	AGREED MOTION to extend time to move, answer or otherwise respond by Elan J Blutinger, Sandra D'Arcy, Robert Diener, Julius Genachowaski, Beverly Harms, Victor A Kaufman, Dara Khosrowshahi, David Litman, Dan Marriott, Jon Miller, Anita Pomilo-Wilson, Gregory Porter, Mel Robinson, Eli Segal. (lmr, ) (Entered: 03/17/2003)
03/20/2003	<u>3</u>	ORDER granting <u>2</u> Motion to Extend Time. It is ordered that Defendants shall have until May 16, 2003 to file move, answer or otherwise respond to Plaintiff's complaint. (Signed by Judge Ed Kinkeade on 03/20/03) (lmr, ) (Entered: 03/21/2003)



03/24/2003	<u>4</u>	MOTION to Substitute Attorney for nominal defendant Hotels.com by Elan J Blutinger, Sandra D'Arcy, Robert Diener, Julius Genachowaski, Beverly Harms, Victor A Kaufman, Dara Khosrowshahi, David Litman, Dan Marriott, Jon Miller, Gregory Porter, Mel Robinson, Eli Segal. (aat, ) (Entered: 03/25/2003)
03/26/2003	<u>5</u>	ORDER granting <u>4</u> Motion to Substitute Sayles, Lidji & Werbner P.C. as attorney of record for Hotels.com. (Signed by Judge Ed Kinkeade on 3/26/03) (aat, ) (Entered: 03/27/2003)
04/07/2003	<u>6</u>	UNOPPOSED MOTION to Substitute Attorney. Motion Filed by Anita Pomilo-Wilson. (lmr, ) (Entered: 04/08/2003)
04/11/2003	<u>7</u>	ORDER granting <u>6</u> Motion to Substitute Attorney. The Clerk of the Court is ordered to remove Robert B. Wiser and the law firm of Schiffrin & Barroway as counsel of record for Plaintiff and designate William B. Federman and the law firm of Federman & Sherwood as lead counsel for Plaintiff.(see order for specifics) (Signed by Judge Ed Kinkeade on 04/11/03) (lmr, ) (Entered: 04/14/2003)
05/16/2003	<u>8</u>	MOTION to administratively consolidate actions, designate caption for consolidated actions and set initial pleading schedule by Anita Pomilo-Wilson. (Exhibits not imaged) (aat, ) (Entered: 05/19/2003)
06/04/2003	<u>9</u>	OPPOSITION re <u>8</u> motion to administratively consolidate actions, designate caption for consolidated actions, and set initial pleading schedule, filed by Alex Solodovnikov. (aat, ) (Entered: 06/05/2003)
06/17/2003	<u>10</u>	REPLY to Opposition of Alex Solodovnikov to <u>8</u> MOTION to Administratively Consolidate Actions, Designate Caption for consolidated actions, and set initial pleading schedule filed by Anita Pomilo-Wilson. (exhibit not imaged)(lmr, ) Modified on 6/18/2003 (lmr, ). (Entered: 06/18/2003)
06/25/2003	<u>11</u>	Application and Order for appearance pro hac vice by Richard A Rosen for Julius Genachowaski; Victor A Kaufman; Dara Khosrowshahi; David Litman; Dan Marriott; Jon Miller; Gregory Porter; Mel Robinson; Sandra D'Arcy and Robert Diener. (Signed by Judge Ed Kinkeade on 6/25/03) Copy to Rosen.(aat, ) (Entered: 06/26/2003)

06/25/2003	<u>12</u>	Application and Order for appearance pro hac vice by Lara M Shalov for Julius Genachowaski; Victor A Kaufman; Dara Khosrowshahi; David Litman; Dan Marriott; Jon Miller; Gregory Porter; Mel Robinson; Sandra D'Arcy and Robert Diener. (Signed by Judge Ed Kinkeade on 6/25/03) Copy to Shalov.(aat, ) (Entered: 06/26/2003)
07/01/2003	<u>13</u>	Memorandum in Support re <u>8</u> MOTION to Consolidate Cases filed by Elan J Blutinger, Sandra D'Arcy, Robert Diener, Julius Genachowaski, Beverly Harms, Hotels.com, Victor A Kaufman, Dara Khosrowshahi, David Litman, Dan Marriott, Jon Miller, Gregory Porter, Mel Robinson, Eli Segal. (aat, ) (Entered: 07/02/2003)
10/17/2003	<u>14</u>	MOTION to Withdraw and Substitute Counsel by Sandra D'Arcy, Robert Diener, Julius Genachowaski, Victor A Kaufman, Dara Khosrowshahi, David Litman, Dan Marriott, Jon Miller, Gregory Porter, Mel Robinson.(Added attorney Patricia J Villareal for Julius Genachowaski; Victor A Kaufman; Dara Khosrowshahi; David Litman; Dan Marriott; Jon Miller; Gregory Porter; Mel Robinson; Sandra D'Arcy and Robert Diener.) (jaw) (Entered: 10/20/2003)
10/28/2003	<u>15</u>	AGREED ORDER granting <u>14</u> Motion to Withdraw and Substitute Counsel. Added attorney Patricia J Villareal for Victor A Kaufman; Dara Khosrowshahi; David Litman; Dan Marriott; Jon Miller; Gregory Porter; Mel Robinson; Sandra D'Arcy and Julius Genachowaski. Attorney Karen L Hirschman and Todd A Murray terminated. See Order for specifics. (Signed by Judge Ed Kinkeade on 10/28/03) (jaw) (Entered: 10/29/2003)
12/12/2003	<u>16</u>	ORDER granting <u>8</u> Motion to Administratively Consolidate Cases. The following actions are hereby consolidated for all purposes, including pretrial proceedings and trial: 3:03cv501-K and 3:03cv812-K. See Order for specifics. (Signed by Judge Ed Kinkeade on 12/12/03) (jaw) (Entered: 12/15/2003)
01/21/2004	<u>17</u>	AGREED MOTION for Entry of Agreed Order Setting Deadlines for Filing Consolidated Complaint and briefing for Motion to Dismiss by Elan J Blutinger, Sandra D'Arcy, Robert Diener, Julius Genachowaski, Beverly Harms, Victor A Kaufman, Dara Khosrowshahi, David Litman, Dan Marriott, Jon Miller, Gregory Porter, Mel Robinson, Eli Segal. (jaw) (Entered: 01/22/2004)

01/28/2004	<u>18</u>	AGREED ORDER granting <u>17</u> Motion for Entry of Agreed Order Setting Deadlines for Filing Consolidated Complaint and briefing for Motion to Dismiss. Plaintiff shall file a Consolidated Complaint no later than 90 days from the date of this Court's entry of this Agreed Order... See Agreed Order for specifics. (Signed by Judge Ed Kinkeade on 1/28/04) (jaw) (Entered: 01/29/2004)
03/15/2004	<u>19</u>	AGREED MOTION for Entry of Stay by Elan J Blutinger, Sandra D'Arcy, Robert Diener, Julius Genachowaski, Beverly Harms, Hotels.com, Victor A Kaufman, Dara Khosrowshahi, David Litman, Dan Marriott, Jon Miller, Anita Pomilo-Wilson, Gregory Porter, Mel Robinson, Eli Segal, Alex Solodovnikov. (jaw) (Entered: 03/16/2004)
03/31/2004	<u>20</u>	ORDER denying <u>19</u> Agreed Motion to Stay. (Signed by Judge Ed Kinkeade on 3/31/04) (cxb, ) (Entered: 03/31/2004)
03/31/2004	<u>21</u>	Minute Entry for proceedings held before Judge Ed Kinkeade: Telephone Conference held on 3/31/04. (Court Reporter: not on record.) (jaw) (Entered: 04/02/2004)

PACER Service Center			
Transaction Receipt			
04/28/2004 15:54:14			
PACER Login:	db0535	Client Code:	wave systems
Description:	Docket Report	Search Criteria:	3:03-cv-00501
Billable Pages:	6	Cost:	0.42